

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

RUSSELL DOVER, HENRY HORSEY, CODY
RANK, and SUZETTE PERRY, on behalf of
themselves and all others similarly situated,

Plaintiffs

-vs.-

BRITISH AIRWAYS, PLC (UK),

Defendant.

Case No. 1:12-cv-05567 (RJD) (CLP)

Judge: Raymond J. Dearie

Magistrate Judge: Cheryl L. Pollak

**PLAINTIFFS' NOTICE OF MOTION FOR PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS SETTLEMENT**

PLEASE TAKE NOTICE that on a date and at a time to be designated by the Court, at the Courthouse for the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, Plaintiffs will move the Court for an order granting preliminary approval of this class action settlement, *see* Ex. A, and for such other relief as the Court deems just and proper.

1. This Motion is based on this Notice of Motion and Motion; the Memorandum of Law in support of this motion and exhibits attached thereto; the pleadings, records, and files in this action; and any other and further evidence and argument as the Court may request or otherwise be presented at the time of the hearing.
2. Plaintiffs respectfully ask the Court for an order granting preliminary approval of the attached proposed settlement, *see* Ex. A, as described with particularity in the accompanying memorandum of law. *See* Fed. R. Civ. P. 23(e); *see also* Herbert B. Newberg & Alba Conte, *Newberg on Class Actions* §§11.22 *et seq.* (5th ed. 2011);

Reyes v. Buddha-Bar NYC, No. 08-02494, 2009 WL 5841177, at *1-2 (S.D.N.Y. May 28, 2009).

Dated: April 11, 2018

Respectfully submitted,

/s/ Jason L. Lichtman

Jason L. Lichtman

David S. Stellings (dstellings@lchb.com)
Nicholas Diamand (ndiamand@lchb.com)
Jason L. Lichtman (jlichtman@lchb.com)
Douglas I. Cuthbertson (dcuthbertson@lchb.com)
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
250 Hudson Street, 8th Floor
New York, NY 10013-1413
212.355.9500

Clive Zietman (czietman@stewartslaw.com)
Fiona Stewart (fstewart@stewartslaw.com)
Daniel Loblowitz (dloblowitz@stewartslaw.com)
STEWARTS LAW, LLP
5 New Street Square
London, UK EC4A 3BF
Telephone: +44 (0)20.7822.8000

Mark Schlachet (mschlachet@gmail.com)
3515 Severn Road
Cleveland, Ohio 44118
(216) 896-0714

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2018, service of this document was accomplished via ECF. British Airways has consented to such service for this motion.

/s/ Jason L. Lichtman

Jason L. Lichtman